LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

- 1. (Currently Amended) A water-based opaque ink coloring composition suitable adapted for use in markers at least one of a wick style and a free ink system writing instrument, said composition comprising:
 - (a) a carrier comprising water;
 - (b) a dimethicone copolyol; and
- (c) submicron polymeric particles having an outer polymeric shell which defines an inner hollow region,

wherein said composition does not contain <u>either titanium dioxide or</u> a neutral buoyancy additive and wherein at least the dimethicone copolyol and the polymeric particles are cohesively bonded to one another to provide a substantially homogeneous non-settling ink composition.

- 2. (Original) The water-based coloring composition of claim 1, wherein said submicron polymeric particles are modified with compounds selected from the group consisting of dyes, pigments, and mixtures thereof.
- 3. (Original) The water-based coloring composition of claim 1, wherein the inner hollow region of said submicron polymeric particles contains water.
- 4. (Original) The water-based coloring composition according to claim 1, wherein said submicron polymeric particles are microspheres.
- 5. (Original) The water-based coloring composition of claim 1, wherein said submicron polymeric particles are in the form of styrene/acrylic emulsion.

- 6. (Original) The water-based coloring composition of claim 1, wherein said submicron polymeric particles are present in an amount from about 5% by weight to about 80% by weight of the coloring composition.
- 7. (Original) The water-based coloring composition of claim 1, wherein said water is deionized water.
- 8. (Original) The water-based coloring composition of claim 1, wherein said water is present in an amount from about 3% by weight to about 50% by weight of the coloring composition.
- 9. (Original) The water-based coloring composition of claim 1, wherein said coloring composition has a density of about 8.0 lbs/gal to about 9.0 lbs/gal.
- 10. (Original) The water-based coloring composition of claim 7, wherein said coloring composition has a viscosity of from about 1 to about 20 centipoises.
- 11. (Original) The water-based coloring compositions according of claim 1, further comprising a colorant.
- 12. (Original) The water-based coloring compositions of claim 11, wherein said colorant is selected from the group consisting of dyes, pigments, and mixtures thereof.
- 13. (Original) The water-based coloring compositions of claim 1, further comprising a humectant.
- 14. (Original) The water-based coloring compositions of claim 13, wherein said humectant is a glycol.

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- 15. (Original) The water-based coloring compositions of claim 1, further comprising a surfactant that serves to lower surface tension and provide flow.
- 16. (Original) The water-based coloring compositions of claim 15, wherein said surfactant is in the form of anionic, or non-ionic fluorocarbon.
- 17. (Original) The water-based coloring composition of claim 1, further comprising a dispersing agent.
- 18. (Original) The water-based coloring compositions of claim 1, further comprising a pH adjustor.
- 19. (Original) The water-based coloring compositions of claim 1, further comprising an alcohol or coalescent to improve drying speed.
- 20. (Original) The water-based coloring composition of claim 1, further comprising a release agent.
- 21. (Previously Presented) The water-based coloring composition of claim 1, wherein said dimethicone copolyol is a silicone copolymer.

22. (Canceled)

- 23. (Currently Amended) A marking instrument selected from among wick style and free ink system writing instruments for applying an opaque ink coloring composition, comprising a nib and a reservoir, wherein said reservoir contains a water-based opaque ink coloring composition adapted for use in at least one of said wick style and a free ink system writing instruments, said composition comprising:
 - (a) a carrier comprising water;
 - (b) a dimethicone copolyol; and

00762736.1 -5-

(c) submicron polymeric particles having an outer polymeric shell which defines an inner hollow region,

wherein said composition does not contain <u>either titanium dioxide or</u> a neutral buoyancy additive and wherein at least the dimethicone copolyol and the polymeric particles are cohesively bonded to one another to provide a substantially homogeneous non-settling ink composition .

- 24. (Original) The marking instrument of claim 21, wherein said water-based opaque ink coloring composition is in a filler material.
- 25. (Original) The marking instrument of claim 21, wherein said water-based opaque ink coloring composition is free and not in a filler material.